



## **PLANNING COMMISSION AGENDA**

**Thursday, July 18, 2013**

**6:30 p.m.**

**Coon Rapids City Center**

**Council Chambers**

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### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call**

### **Adopt Agenda**

Approval of Minutes from May 16, 2013

### **Approval of Minutes of Previous Meeting**

### **Old Business**

### **New Business**

1. PC 13-14 Code change to allow Food and Related Goods as a permitted use in Ports Wellness and Evergreen
2. PC 13-12 Amendment to Gateway Commerce Center PUD to allow restaurant with drive-thru instead of a drug store at 1920 Gateway Dr.
3. PC 13-13 Site Plan for a restaurant (McDonalds) with a drive-thru, 1920 Gateway Drive
4. PC 10-07 RLK Landholdings Site Plan Approval Extension

### **Other Business**

Current Development

### **Adjourn**



**Planning Commission Regular**

**Meeting Date:** 07/18/2013

**SUBJECT:** Approval of Minutes from May 16, 2013

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**Attachments**

**Draft May 16 Minutes**

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## **COON RAPIDS PLANNING COMMISSION MEETING OF MAY 16, 2013**

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### **CALL TO ORDER**

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The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Chair Geisler at 6:30 p.m.

Members Present: Chair Jenny Geisler, Commissioners Cedric Lattimore, Jonathan Lipinski, Donna Naeve, Wayne Schwartz, Zachary Stephenson and Julia Stevens.

Members Absent: None.

Staff Present: Community Development Director Marc Nevinski; and Planner Scott Harlicker.

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### **PLEDGE OF ALLEGIANCE**

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Chair Geisler led the Commission in the Pledge of Allegiance.

### **ADOPTION OF THE AGENDA**

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MOTION BY COMMISSIONER NAEVE, SECONDED BY COMMISSIONER LATTIMORE, TO ADOPT THE AGENDA AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

### **APPROVAL OF THE APRIL 18, 2013 REGULAR MINUTES**

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Commissioner Stephenson requested a change on Page 7, noting his law firm represents Allina.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF APRIL 18, 2013, AS CORRECTED. THE MOTION PASSED UNANIMOUSLY.

### **OLD BUSINESS**

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1. PLANNING CASE 13-5 AND 13-6 – MWF PROPERTIES – LAND USE PLAN AMENDMENT AND ZONE CHANGE – 3531 COON RAPIDS BOULEVARD (PEDERSON FLORAL)
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This item has been withdrawn at the request of the applicant.

### **NEW BUSINESS**

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2. PLANNING CASE 13-8 - RAPIDS 3350 – SITE PLAN MULTI-TENANT RETAIL AND RESTAURANT – 3350 RIVER RAPIDS DRIVE – PUBLIC HEARING
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It was noted the applicant is requesting site plan approval for an 11,200 square foot multi-tenant commercial building and a 4,090 square foot restaurant. Staff reviewed the site plan and landscaping plan in detail with the Commission, discussing the parking regulations and recommended approval with conditions. It was noted the applicant was present this evening and had a materials board for the Commission to review.

Sheldon Berg, 1475 Holton Street, reviewed the brick materials and stucco color that would be used on the two buildings in detail with the Commission. He thanked the Commission for considering his request this evening.

Chair Geisler opened the public hearing at 6:48 p.m.

Jason Hill, Chick-Fil-A, requested the Commission consider the traffic flow in this area. He noted his site currently had one entrance point and he did not want to see his property adversely affected by the redevelopment. He indicated one option would be to offer a second access point to his property.

Chair Geisler closed the public hearing at 6:52 p.m.

Commissioner Stephenson questioned if an additional access point could be created for Chick-Fil-A. Planner Harlicker stated he spoke to the City Engineer earlier this evening regarding this matter and the two property owners could work on a solution.

Commissioner Stevens asked if any parking spaces would be lost if an additional access point were created. Planner Harlicker explained six parking spaces would be lost in the newly redeveloped space.

Commissioner Naeve expressed concern with the traffic congestion that would be created through the redevelopment given the fact Chick-Fil-A only has one access point. Planner Harlicker reviewed his traffic calculations with the Commission noting the only concern would be overlapping traffic during peak times for the restaurants.

Commissioner Lattimore questioned how traffic flowed through the Chick-Fil-A site at this time. Planner Harlicker reviewed the traffic flow with the Commission noting the additional access point would provide for ingress and egress.

Commissioner Naeve asked if Chick-Fil-A had a cross access easement. Planner Harlicker indicated the cross access easement with Sterling Bank near the west side of the site was vacated and the property now had shared access to allow entry to the site.

Commissioner Naeve expressed concern with the alterations that would be needed on the site plan and did not recommend the Commission proceed with the plan this evening. She thought it made more sense to offer Chick-Fil-A a second access point to River Rapids Drive than through the adjacent parking lot.

Commissioner Stephenson agreed and questioned if the Chick-Fil-A traffic should be rerouted through the new development. He recommended this be reviewed further by Staff and the two property owners before the Commission made a decision.

Commissioner Naeve stated the current design had a negative impact on the surrounding property and this had to be considered within the site plan approval process.

Commissioner Schwartz commented the Chick-Fil-A site plan was already approved and he questioned why the Commission was going to reconsider their site plan because the adjacent site was redeveloping.

Commissioner Stephenson indicated the circulation concern was not a problem for the applicant, but was specific to Chick-Fil-A.

Commissioner Naeve agreed.

Chair Geisler recommended the Commission review the proposed site plan as proposed.

Commissioner Lipinski stated the new parking standards would require 86 parking spaces and the applicant has proposed 95 parking spaces. Planner Harlicker clarified that the new standards would require 95 parking spaces for the retail and restaurant uses.

Commissioner Naeve encouraged Chick-Fil-A to contact the City about a site plan amendment to request an exit onto River Rapids Drive.

Chair Geisler agreed with this recommendation. She stated another option would be for the two properties to negotiate a cross easement space. Planner Harlicker commented Chick-Fil-A's main concern was the traffic generated by the adjacent restaurant given the fact the property was previously a bank.

Commissioner Stevens commented if the cross easement were approved the parking could become more of a concern as cars would then be split between the two parcels.

Commissioner Stephenson indicated the fact remains there would be a choke point at the main entrance as traffic enters the site to access the new development and Chick-Fil-A.

Chair Geisler stated the cross access easement may create additional concerns for both site plans.

Commissioner Stevens then discussed the landscaping plan noting there were shortages on both overstory trees and shrubs.

Chair Geisler asked if the Commission supported the planting of overstory trees along the south side of the restaurant.

Commissioner Naeve recommended architectural treatments be added to the south side of the building as the landscaping would not completely buffer this elevation. She noted that two

additional overstory trees were needed within the parking islands. Planner Harlicker suggested this be added to Condition 2.

Chair Geisler agreed with this suggestion.

Commissioner Naeve questioned if the landscaping had to have a sense of continuity with the adjacent properties. Planner Harlicker stated maple trees were planted along the street frontage. He indicated another condition could be added stating the plantings were to be consistent with the Chick-Fil-A property.

Chair Geisler questioned if the four overstory trees should be changed to ornamentals to lower the tree canopy. She stated this would have an impact the south elevation of the building.

Commissioner Stevens agreed with this recommendation.

Commissioner Naeve indicated the additional ornamental trees may block the signage on the building. She suggested overstory trees be planted in this area and that additional architectural elements be included on the south elevation.

Commissioner Naeve inquired if the Commission had decided if there should be a hedge, berm or combination of the two for screening between Main Street and the new development. The Commission agreed there should be a berm with a hedge.

Commissioner Naeve questioned if the outdoor seating would be fenced. Mr. Berg explained the area would have a metal three-foot fence and the area would be accessed from the inside of the restaurant. He stated the fence would be green in color.

Chair Geisler requested another condition for approval be added stating the three-foot metal fencing shall be reviewed and approved by Staff.

Chair Geisler commented the south elevation of the building was the primary focal point for this building, given the traffic flow along Main Street. She suggested this elevation be improved to add architectural interest.

Chair Geisler agreed with this recommendation.

Mr. Berg stated he would work with Staff to add some architectural features and color variations to the south elevation. He understood that this was a highly visual area. He noted he was willing to work with Staff on the other recommendations made this evening.

Commissioner Naeve requested a condition be added stating the dumpster enclosure materials shall be brick faced to match the restaurant. She noted the rain garden would also have to be reviewed and approved by Staff.

Commissioner Naeve asked if the Commission had addressed the five angled parking stalls near the entrance.

Chair Geisler stated these parking spaces would not be allowed. The Commission agreed to strike Condition 10.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER LIPINSKI, TO APPROVE PLANNING CASE 13-8, THE SITE PLAN FOR THE 11,200 SQUARE FOOT RETAIL BUILDING AND 4,090 SQUARE FOOT RESTAURANT WITH THE FOLLOWING CONDITIONS:

1. ALL LANDSCAPED AREAS MUST BE IRRIGATED.
2. THE LANDSCAPE PLAN MUST BE REVISED TO INCLUDE AN ADDITIONAL TWO STREET TREES AND 84 SHRUBS ALONG THE STREET FRONTAGE, AND FOUR OPEN SPACE OVERSTORY TREES AND TWO OVERSTORY PARKING LOT ISLAND TREES. A THREE-FOOT HIGH SCREEN MUST BE PROVIDED BETWEEN MAIN STREET AND THE PAVED AREAS CONSISTING OF BERMING WITH A HEDGE.
3. THE HONEY LOCUSTS ALONG MAIN STREET MUST BE CHANGED TO MAPLE TREES.
4. THE TWO LOTS MUST BE COMBINED.
5. THE TURN AROUND AREA FOR DRIVE AISLE BETWEEN THE TWO BUILDINGS MUST BE MOVED TO THE END OF THE AISLE AND SIGNED "NO PARKING."
6. ALL COMMENTS OF THE CITY ENGINEER MUST BE ADDRESSED.
7. THE PROPERTY OWNER MUST ENTER INTO A SITE SECURITY AND DEVELOPMENT AGREEMENT WITH THE CITY.
8. BICYCLE RACKS BE PROVIDED FOR BOTH BUILDINGS.
9. THE RESTAURANTS REAR ELEVATION FACING MAIN STREET MUST BE REVISED TO INCLUDE ARCHITECTURAL FEATURES FROM THE FRONT ELEVATION TO BE APPROVED BY STAFF.
- ~~10. PARKING SHALL INCLUDE THE 95 STALLS AS SHOWN ON THE SITE PLAN PLUS SUBMISSION OF PROOF OF PARKING FOR FIVE ADDITIONAL ANGLED STALLS NEAR THE ENTRANCE.~~
11. ALL TENANT SIGNAGE AND THE FREESTANDING SIGN ARE SUBJECT TO SEPARATE SIGN PERMITS.
12. LANDSCAPING SHALL BE CONSISTENT WITH ADJACENT PROPERTIES.
13. THE DECORATIVE THREE-FOOT GREEN FENCING IN THE OUTDOOR DINING AREA IS TO BE REVIEWED AND APPROVED BY STAFF.

14. THE DUMPSTER ENCLOSURE MATERIALS SHALL BE BRICK FACED TO MATCH THE RESTAURANT, AND WILL BE REVIEWED AND APPROVED BY STAFF.

15. THE RAIN GARDEN PLAN SHALL BE REVIEWED AND APPROVED BY STAFF.

Commissioner Naeve commented she would support the site plan but had concerns with traffic entering and exiting the property.

THE MOTION PASSED UNANIMOUSLY.

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

3. PLANNING CASE 13-9 – MID AMERICA REAL ESTATE – LAND USE PLAN  
AMENDMENT – 2624-2760 COON RAPIDS BOULEVARD – PUBLIC HEARING

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It was noted the applicant is requesting approval of an amendment to the City's Comprehensive Land Use Plan to change the land use designation of five parcels from Office to General Commercial. It was noted the property was 3.78 acres in size and was located in the River Rapids Overlay District. Staff explained the site was underutilized with the current zoning and recommended the Commission approve the proposed land use amendment.

Chair Geisler opened the public hearing at 7:50 p.m.

Bruce Carlson, project director for Mid America Real Estate, explained his company manages and leases the property at 2624-2760 Coon Rapids Boulevard. He thanked the Commission for considering his request this evening and appreciated the City's support.

Chair Geisler closed the public hearing at 7:51 p.m.

Chair Naeve recalled being on the Commission when this parcel was first developed. She explained that its original zoning served the parcel well, but with the changing times, the amendment was necessary. She suggested a tree preservation code be considered to protect the trees on this site if the property were to completely redevelop at some point in the future.

MOTION BY COMMISSIONER LIPINSKI, SECONDED BY COMMISSIONER SCHWARTZ, TO APPROVE PLANNING CASE 13-9, THE PROPOSED LAND USE AMENDMENT BASED ON THE FOLLOWING FINDINGS:

1. THE PROPOSED AMENDMENT IS CONSISTENT WITH THE COMPREHENSIVE PLAN IN THAT IT PROMOTES THE IMPROVED APPEARANCE AND FUNCTION OF COON RAPIDS BOULEVARD AND WILL ELIMINATE AN OBSOLETE LAND USE.
2. THE PROPOSED LAND USE AMENDMENT IS COMPATIBLE WITH THE SURROUNDING LAND USE DESIGNATIONS AND LAND USES.



3. THE PROPOSED LAND USE AMENDMENT WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.
4. THE PARCEL FRONTS ON COON RAPIDS BOULEVARD, WHICH IS A CLASS A ARTERIAL STREET.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the June 18, 2013 City Council meeting.

4. PLANNING CASE 13-10 – MID AMERICA REAL ESTATE – ZONE CHANGE –  
2624-2760 COON RAPIDS BOULEVARD – PUBLIC HEARING

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It was noted the applicant is requesting approval of a rezoning to change the zoning of five parcels from Office and Planned Unit Development (PUD) to General Commercial. It was noted the property was 3.78 acres in size and was located in the River Rapids Overlay District. Planner Harlicker explained if the site were rezoned one use would become non-conforming with the allowed uses in the River Rapids Overlay District. Staff recommended the Commission approve the rezoning.

Commissioner Stevens requested further information on the future of the non-conforming business. Planner Harlicker explained the business could continue in their space indefinitely, however, the auto body use could not expand. In addition, if the use were to cease for one year, the use could not continue.

Chair Geisler opened and closed the public hearing at 7:50 p.m., as no one wished to address the Planning Commission.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER SCHWARTZ, TO APPROVE PLANNING CASE 13-10, THE PROPOSED ZONE CHANGE BASED ON THE FOLLOWING FINDINGS.

1. THE PROPOSED REZONING TO GENERAL COMMERCIAL IS CONSISTENT WITH THE LAND USE DESIGNATION OF GENERAL COMMERCIAL.
2. THE PROPOSED REZONING IS COMPATIBLE WITH THE ADJACENT LAND USES AND ZONING.
3. THE TIMES AND CONDITIONS HAVE CHANGED SO THAT A REASONABLE USE OF THE PROPERTY CANNOT BE MADE UNDER THE CURRENT ZONING.
4. THE PROPOSED ZONE CHANGE WOULD NOT HAVE AN ADVERSE IMPACT ON THE AREA.

5. THE PROPOSED REZONING IS CONSISTENT WITH THE COON RAPIDS BOULEVARD FRAMEWORK PLAN AND THE RIVER RAPIDS OVERLAY DISTRICT.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the June 4, 2013 City Council meeting.

5. CASE 13-11 – MJM PROPERTIES – REVISION TO FINAL PUD – 10091 AND 10087 DOGWOOD STREET – PUBLIC HEARING

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It was noted the applicant is requesting approval of a site plan revision to a final Planned Unit Development (PUD). The applicant is proposing to expand the parking area on the north side of the site, adjacent to 101<sup>st</sup> Avenue. It was noted the PUD was originally approved in 2006. Staff reviewed the revised plans in detail with the Commission and recommended approval with conditions. Planner Harlicker added Condition 4 noting the property owner would need to enter into a site security agreement with the City to cover site improvements.

Chair Geisler opened the public hearing at 8:03 p.m.

Al Hamel, 10270 Mississippi Boulevard, commented he was working with the property owner on this project. He explained the additional parking was being requested to allow for medical uses to occupy the buildings.

Mike Ziegler, 10091 Dogwood Street, stated one of his buildings has been vacant for the past 5½ years. He now had a national client interested in the building and additional parking was necessary. He thanked the Commission for considering his request this evening.

Chair Geisler closed the public hearing at 8:08 p.m.

Commissioner Naeve explained the five-foot setback would be allowed within the revised plan because this was a PUD. Planner Harlicker stated this was the case.

Commissioner Schwartz commented the numbers on the site plan did not add up to match the site width as there was a two-foot discrepancy. Planner Harlicker reviewed the site setback and parking lot width numbers with the Commission.

Mr. Hamel commented he was proposing to have a wider drive aisle than was currently on site. He then reviewed the site setbacks to provide clarity.

Commissioner Stephenson asked if the Commission was in favor of having a wider drive aisle or lower site setback.

Commissioner Lipinski did not have a preference.

Commissioner Naeve stated there was extra right-of-way on 101<sup>st</sup> Avenue.

Chair Geisler was in favor of keeping the drive aisle widened for safety purposes. Planner Harlicker recommended the Commission add a condition stating Staff shall review the revised plans and field verify the dimensions.

MOTION BY COMMISSIONER LIPINSKI, SECONDED BY COMMISSIONER STEVENS, TO APPROVE PLANNING CASE 13-11, THE AMENDMENT TO THE FINAL PUD WITH THE FOLLOWING CONDITIONS:

1. THE LANDSCAPE PLAN BE REVISED TO SHOW THE REQUIRED THREE-FOOT HIGH HEDGE AND PLANTING BED OR THREE-FOOT HIGH BERM AND PLANTING BEDS ALONG 101<sup>ST</sup> AVENUE.
2. THE PROPERTY OWNER ENTER INTO A LANDSCAPE MAINTENANCE AGREEMENT WITH THE CITY AND NO LANDSCAPING CAN INTERFERE WITH UTILITIES.
3. THE CITY ENGINEER'S COMMENTS MUST BE ADDRESSED.
4. THE PROPERTY OWNER MUST ENTER INTO A SITE SECURITY AGREEMENT WITH THE CITY TO COVER SITE IMPROVEMENTS.
5. STAFF SHALL REVIEW REVISED PLANS WITH FIELD VERIFIED DIMENSIONS.

THE MOTION PASSED UNANIMOUSLY.

This is a recommendation to the City Council that will be considered at the June 4, 2013 City Council meeting.

#### OTHER BUSINESS

Community Development Director Nevinski reviewed with the Commission redevelopment activities taking place in the City. He noted residential building permits had increased this spring.

#### ADJOURN

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO ADJOURN THE MEETING AT 8:24 P.M. THE MOTION PASSED UNANIMOUSLY.

Recorded and Transcribed by,  
Heidi Guenther  
Planning Commission Recording Secretary



## **Planning Commission Regular**

**1.**

**Meeting Date:** 07/18/2013

**Subject:** PC 13-14 Code change to allow Food and Related Goods as a permitted use in Ports Wellness and Evergreen

**From:** Scott Harlicker, Planner

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### **INTRODUCTION**

The applicant is requesting the Planning Commission consider a code change to allow "Food and Related Goods" as a permitted use in Port Wellness and Port Evergreen.

### **ACTIONS**

Conduct a public hearing

Recommendation by Planning Commission

Introduction by City Council on: August 7, 2013

### **60 DAY RULE**

N/A

### **LOCATION**

N/A

### **DISCUSSION**

#### **Background**

In recent land use studies and resident surveys, the lack of grocery stores along Coon Rapids Boulevard is an issue that keeps coming up. Staff recently had a conversation with a property owner about the possibility of leasing his building to a tenant that wanted to open a grocery store. However, grocery stores, as well as other food related sales, were not permitted uses in Ports Wellness and Evergreen, but were permitted uses in the other Ports.

#### **Analysis**

"Food and related goods" includes uses characterized by the sale of food and related goods to the public for consumption off the premises. Uses include grocery store/supermarket, butcher shops, bakeries, candy, green grocer and other specialty food and catering. These uses are limited to Port Riverwalk and Campus Square. However, "Eating places", which include delis, cafes, coffee shops, take out establishments and restaurants, all of which often include primarily take out sales, are allowed as permitted uses in all the Ports. In addition, "General retail", which includes the sale of items strictly for consumption, use and enjoyment off the premises, is also a permitted use in all the Ports.

It is not clear why "Foods and related goods" uses were separated from retail sales and made a prohibited use in Ports Wellness and Evergreen. Amending the code to allow "Food and related goods" as a permitted uses in Ports Wellness and Evergreen is reasonable, as the land use impacts of food sales is not significantly different from other

retail sales.

It should be noted that this proposed code change does not alter the current maximum building floor area, which is 20,000 square feet in Ports Riverwalk and Campus Square. In Port's Evergreen and Wellness the minimum floor area is 5,000 square feet and there is no maximum.

#### Consistency with Framework Plan

##### *Port Wellness*

The Plan states that future uses are intended to complement the existing medical/office character of the Port. Commercial uses that provided commercial services to the Port are encouraged. Allowing food and related goods as a permitted use is consistent with this policy.

##### *Port Evergreen*

The Plan for Port Evergreen is to maintain and strengthen it as a major commercial node. Allowing food and related goods is consistent with this policy.

#### **RECOMMENDATION**

In Planning Case 13-14, Planning Commission recommend approval of a code change to allow "Food and Related Goods" as a permitted use in Port Evergreen and Port Wellness.

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#### **Attachments**

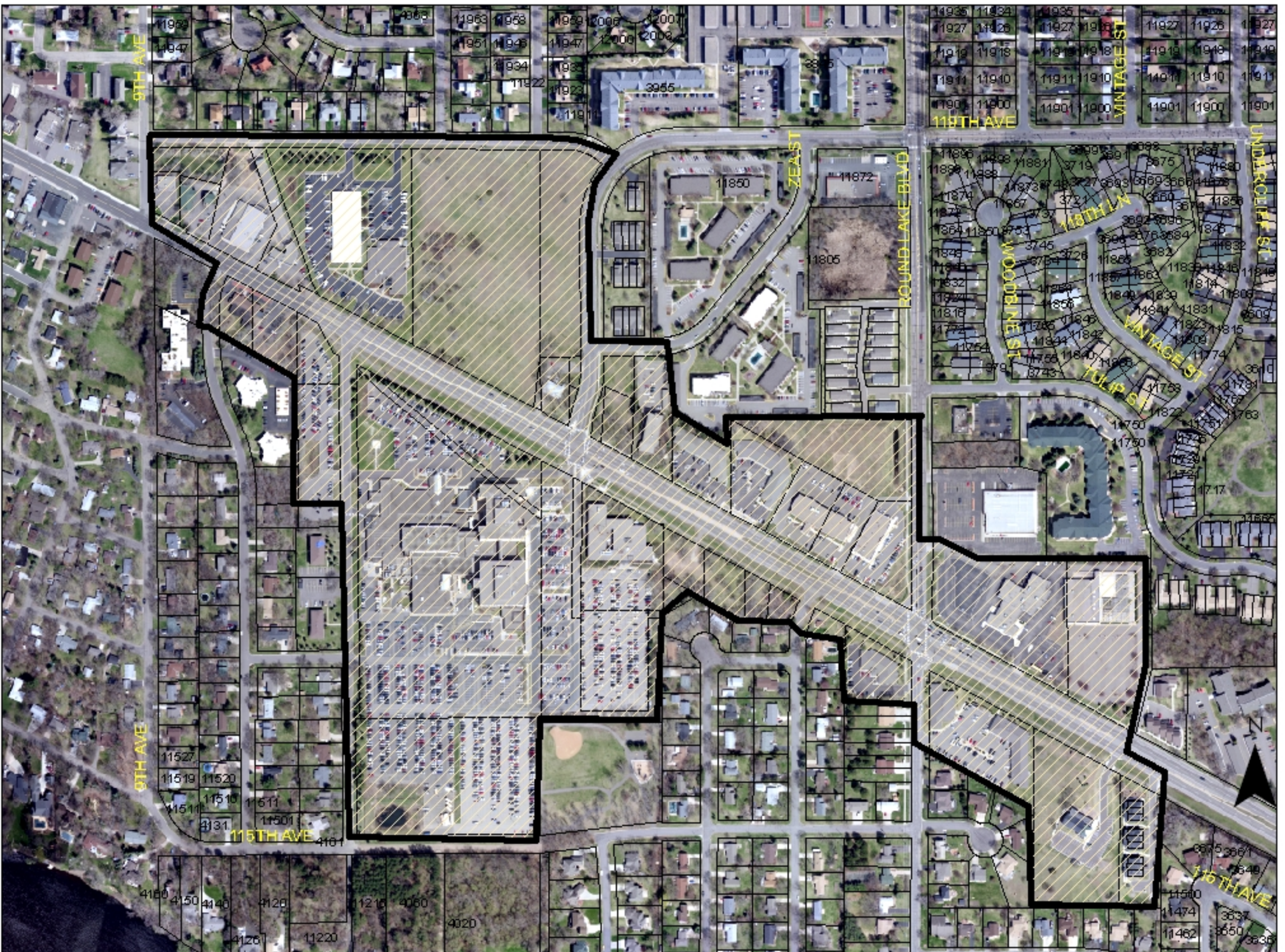
Port Wellness

Port Evergreen

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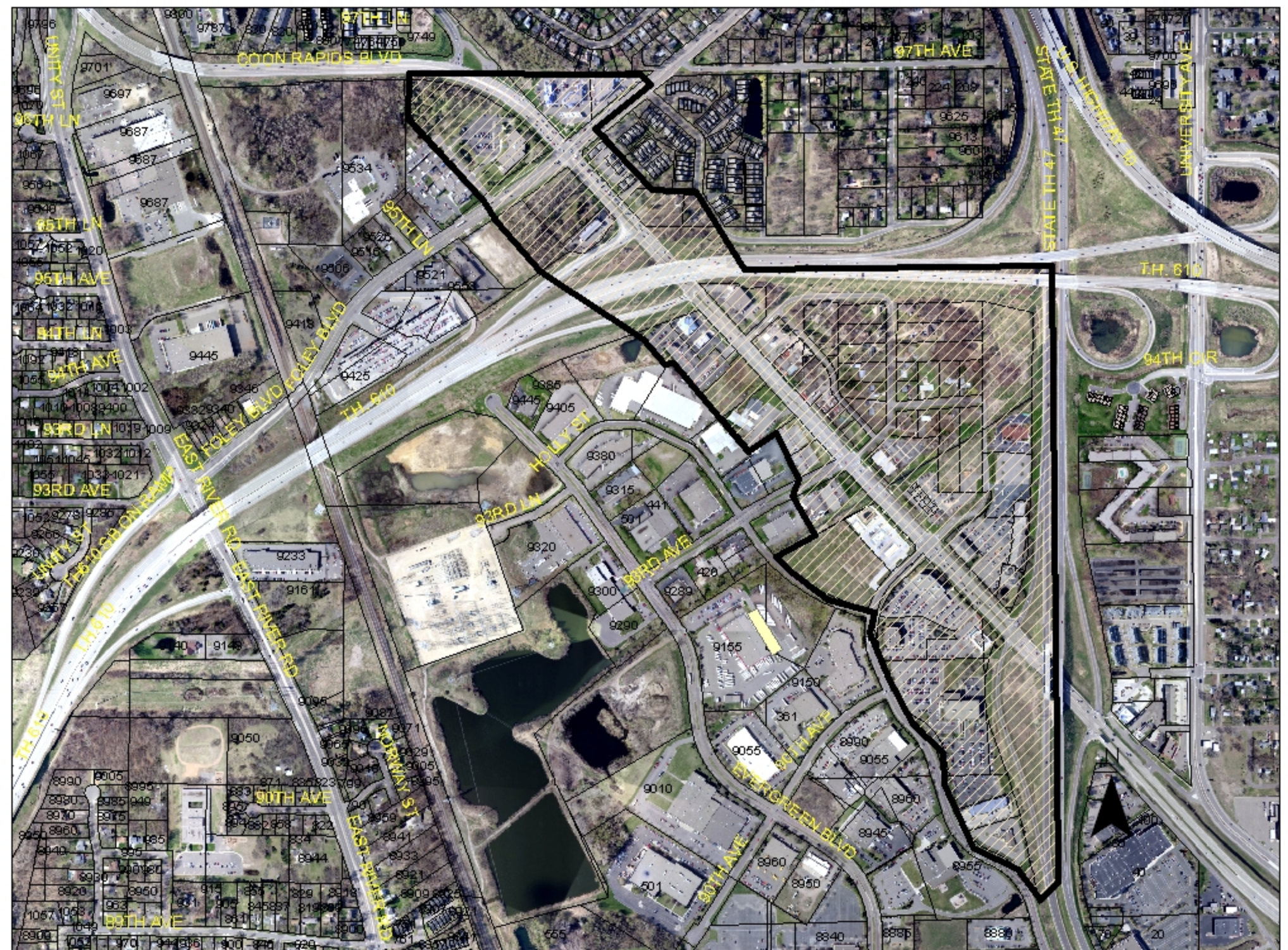


## Location Map Port Wellness





# Location Map Port Evergreen







**Planning Commission Regular**

**2.**

**Meeting Date:** 07/18/2013

**Subject:** PC 13-12 Amendment to Gateway Commerce Center PUD to allow restaurant with drive-thru instead of a drug store at 1920 Gateway Dr.

**From:** Scott Harlicker, Planner

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**INFORMATION:**

This item is being postponed to the August 15 meeting. The applicant is making revisions to the plans. The Commission should open the public hearing and continue it to the August 15th meeting.

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**Planning Commission Regular**

**3.**

**Meeting Date:** 07/18/2013

**Subject:** PC 13-13 Site Plan for a restaurant (McDonalds) with a drive-thru, 1920 Gateway Drive

**From:** Scott Harlicker, Planner

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**INFORMATION:**

This item is being postponed to the August 15 meeting. The applicant is making revisions to the plans. The Commission should open the public hearing and continue it to the August 15th meeting.

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## **Planning Commission Regular**

**4.**

**Meeting Date:** 07/18/2013

**Subject:** PC 10-07 RLK Landholdings Site Plan Approval Extension

**From:** Scott Harlicker, Planner

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### **INTRODUCTION**

The applicant is requesting a one year extension of their site plan approval to July 6, 2014.

### **ACTIONS**

Recommendation by Planning Commission

Decision by City Council on August 7, 2013

### **60 DAY RULE**

N/A

### **LOCATION**

The project is located is north of 94th Avenue, east of Flintwood Street and south of Highway 610.

### **DISCUSSION**

On July 6, 2010 RKL Landholdings was granted site plan approval to construct a 204 unit apartment building and 181 unit senior housing facility. A site plan approval is valid for one year. On June 16, 2011 and June 21, 2012 the Commission granted 1 year extensions to their site plan approval. This extension request is being considered by the Commission at the July meeting instead of June, as was done in the past, because the Commission did not meet in June.

This spring the City Council approved revisions to Title 11. The revisions included changes to the site plan approval extension process. Applicants are now allowed only one site plan extension for a maximum of one year and the extension must be approved by the City Council with a recommendation from the Planning Commission. Even though the applicant has been granted two previous extensions, they are applying for this extension under the new code and are entitled to request one more extension. This will be the last site plan extension available for the applicant. The Planning Commission may recommend an extension of the site plan approval for a period of not more than 12 months upon a finding that:

1. The proposed use, or uses, is consistent with the City's Comprehensive Land Use Plan current at the time the request for an extension is considered; and,
2. The project design meets the applicable City Code standards in effect at the time the request for an extension is considered.

The extension is needed to allow RKL Landholdings additional time to procure financing. The proposal has not changed and remains in conformance with the Land Use Plan and the City Code standards.

### **RECOMMENDATION**

In Planning Case 10-07, it is recommended the Planning Commission recommend **approval** of one, twelve month extension to the site plan approval to July 6, 2014.

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**Attachments**

Extension request letter

Location Map

Air Photo of Site

Site Plan

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## SONG LO LAW, LLC

ATTORNEYS AT LAW

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June 6, 2013

VIA EMAIL AND U.S. MAIL

Scott Harlicker,  
Planner  
City of Coon Rapids  
11155 Robinson Drive Northwest  
Coon Rapids, MN 55433

RE: Port Evergreen Development; Planning Case: 10-07

Dear Mr. Harlicker:

On behalf of my client, RKL Landholding, LLC, developer of the Port Evergreen Development, I am writing to request another extension on our approval, to July 6, 2014.

We are very close to completely financing of the project but just need a little more time to make sure everything comes together as planned. Attached is a copy of the approval letter from our funder.

We are confident that this development will come together for the good of the City and its future residents. And, we thank you in anticipation of your understanding and approval of the 12-month extension. Please let me know if you or anyone at the City, should have questions. Thank you again for your consideration.

Respectfully,

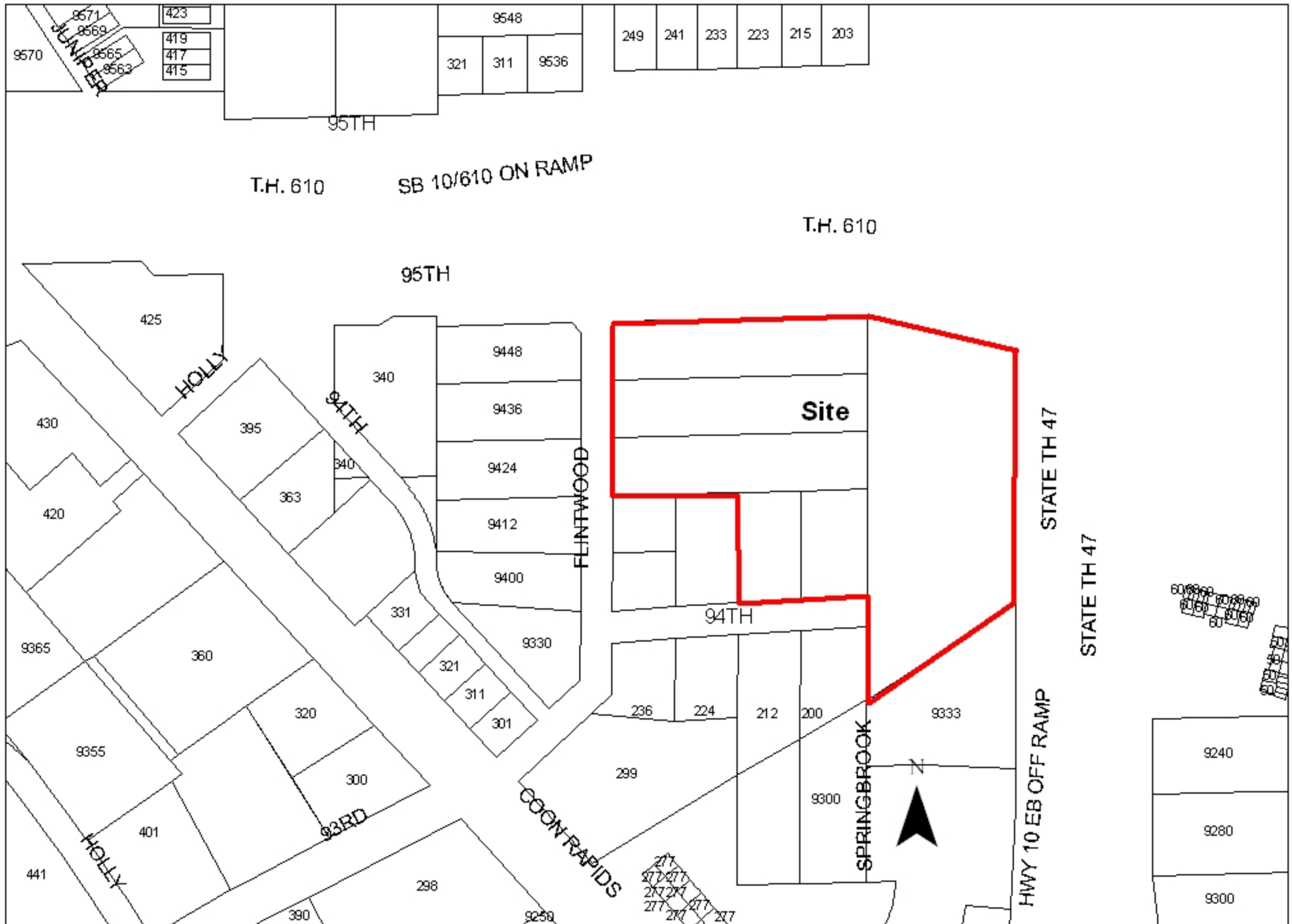
SONG LO LAW, LLC



Song Lo

cc: RKL Landholding, LLC

# LOCATION MAP





# Project Area





